

Natalie M. Cox

Honorable Natalie M. Cox
United States Bankruptcy Judge



Entered on Docket
March 30, 2021

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Attorneys for Secured Creditor
U.S. Bank Trust N.A., as Trustee of the SCIG Series III Trust, its successors and assigns

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA – LAS VEGAS DIVISION

In re:

JIT R MANN,
NIRMAL MANN,

Debtors.

CASE NO.: 21-10002-nmc

Chapter 13

**ORDER GRANTING MOTION FOR RELIEF
FROM STAY**

(1417 Misty Moat St, Las Vegas, NV 89117-8301)

Secured Creditor, U U.S. Bank Trust National Association, as Trustee of the SCIG Series III Trust, its successors and assigns ("Secured Creditor"), through undersigned counsel, filed a Motion for Relief from Automatic Stay (Doc. 19, the "Motion") and requested an order vacating the automatic stay to permit Secured Creditor to exercise its non-bankruptcy remedies in connection with the real property located at 1417 Misty Moat St, Las Vegas, NV 89117-8301 (the "Property").

A hearing came on before the Honorable Natalie M. Cox on March 9, 2021, during which Regina A. Habermas, Esq. appeared for Secured Creditor and Benjamin M. Chambliss, Esq. appeared

1 for Debtors. During the March 9, 2021 hearing, the Court continued the hearing of the Motion to
2 March 23, 2021 and directed Debtors to file any written opposition to the Motion on or before
3 March 16, 2021. The Court directed Secured Creditor to file any reply on or before March 19, 2021.
4 Debtors did not file any written opposition to the Motion and Secured Creditor did not file any reply.

5 On March 23, 2021, the matter came on before the Honorable Natalie M. Cox for the
6 continued hearing of the Motion, with Regina A. Habermas, Esq. appearing for Secured Creditor and
7 Benjamin M. Chambliss, Esq. appearing for Debtors. The Court, having considered the moving
8 papers and argument of counsel, and for the reasons stated on the record during the hearing, including
9 findings of fact, evidence considered and inferences drawn therefrom as well as the Court's legal
10 conclusions, enters the following Order.

11 **IT IS HEREBY ORDERED** that:

12 1. Pursuant to 11 U.S.C. § 362(d)(1) and 11 U.S.C. § 362(d)(4), Secured Creditor is
13 granted relief from the automatic stay provisions of 11 U.S.C. § 362 to permit Secured Creditor, and
14 Secured Creditor's successors and assigns to continue all acts necessary to secure possession of the
15 real property located at 1417 Misty Moat St, Las Vegas, NV 89117-8301 and sell the real property
16 located at 1417 Misty Moat St, Las Vegas, NV 89117-8301 in a commercially reasonable manner
17 without further Hearing before this Court pursuant to applicable state law;

18 2. Fed.R.Bankr.P., Rule 4001(a)(3) is waived and the stay is terminated upon entry of
19 this order;

20 3. When recorded in compliance with applicable state laws governing notices of interests
21 or liens in the Property, this Order is binding and effective under 11 U.S.C. §362(d)(4)(A) and (B) in
22 any other bankruptcy case purporting to affect the Property filed not later than two (2) years after the
23 date of entry of this Order, except that a debtor in a subsequent bankruptcy case may move for relief
24 from this Order based upon changed circumstances or for good cause shown, after notice and a
25 hearing. Any federal, state or local governmental unit that accepts notices of interests or liens in real
26 property shall accept a certified copy of this Order for indexing and recording; and

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4. This Order is binding and effective despite any conversion of this case.

Respectfully submitted:
March 30, 2021

Approved as to Form and Content:
March 29, 2021

GHIDOTTI | BERGER LLP

FREEDOM LAW FIRM

By: /s/ Regina Habermas
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Attorneys for Debtors

In accordance with LR 9021, counsel for Movant hereby certifies as follows (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all attorneys who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as shown above.

☐ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.